



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,615	03/29/2004	David Django Dexter	157972-0010	3194
68368	7590	07/25/2007	EXAMINER	
BARCELO & HARRISON, LLP 22091 WOOD ISLAND LANE HUNTINGTON BEACH, CA 92646			SAETHER, FLEMMING	
		ART UNIT	PAPER NUMBER	
		3677		
		MAIL DATE		DELIVERY MODE
		07/25/2007		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10812615	3/29/04	DEXTER ET AL.	157972-0010

EXAMINER

Flemming Saether

ART UNIT	PAPER
----------	-------

3677 20070713

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

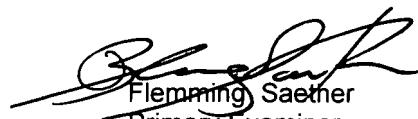
Newly submitted claims 31-42 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

The new claims are directed to different a subcombination disclosed as usable together in a single combination. The subcombination is distinct since it does not overlap in scope and is not an obvious variant, and it would have a separate utility. Specifically, the segmented radius as now claimed would have separate utility in that it could be used without the surface having a radius of curvature as previously claimed. See MPEP § 806.05(d).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Therefore, the amendment filed on 5/1/07 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (See 37 CFR 1.142(b) and MPEP § 821.03).

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Flemming Saether whose telephone number is 571-272-7071. The examiner can normally be reached on Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Flemming Saether
Primary Examiner
Art Unit: 3677